

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE PENSION COMMITTEE OF THE UNIVERSITY OF
MONTREAL PENSION PLAN, *et al.*,

Plaintiffs,

V.

BANC OF AMERICA SECURITIES, LLC, CITCO FUND SERVICES (CURACAO) N.V., THE CITCO GROUP LIMITED, INTERNATIONAL FUND SERVICES (IRELAND) LIMITED, PRICEWATERHOUSECOOPERS (NETHERLANDS ANTILLES), JOHN W. BENDALL, JR., RICHARD GEIST, ANTHONY J. STOCKS, KIERAN CONROY, DECLAN QUILLIGAN, and INTERCARIBBEAN SERVICES, LIMITED,

Defendants.

05 Civ. 9016 (SAS) (FM)

ECF Case

Oral Argument Requested

**DEFENDANT BANC OF AMERICA SECURITIES LLC'S
NOTICE OF MOTION FOR SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that, upon the Memorandum of Law in Support of Defendant Banc of America Securities LLC's Motion for Summary Judgment, the accompanying Statement Pursuant to Local Civil Rule 56.1 in Support of Summary Judgment, the Declaration of Roman Krawciw in support thereof, dated June 30, 2009, the Declaration of Andrew Pennecke in support thereof, dated June 29, 2009, the Declaration of Richard R. Lindsey in support thereof, dated June 30, 2009, the Declaration of Dawn M. Wilson in support thereof, dated July 2, 2009, and upon all prior proceedings herein, Defendant Banc of America Securities LLC, by its undersigned counsel, will move this Court before the Honorable Shira A. Scheindlin, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 15C, New

York, New York, at a time and date convenient for the Court, for an Order pursuant to Federal Rule of Civil Procedure 56 granting summary judgment dismissing the claims against Banc of America Securities LLC and granting such other relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Judge Scheindlin's order at the June 18, 2009 conference, opposing papers, if any, are required to be served upon the undersigned by July 30, 2009, and reply papers are required to be served by August 13, 2009.

Dated: July 2, 2009
New York, New York

Respectfully submitted,

By: /s/ Peter K. Vigeland

Peter K. Vigeland
Dawn M. Wilson
Paul M. Winke

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